S.B.Cr.Misc. Bail App. No.5342/2007
(Ram Lal Vs. State)

Date of order : 30.10.2007

HON'BLE MR.H.R.PANWAR, J.

Mr. R.S. Chundawat for the petitioner.

Mr. Ashok Updhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the learned Public Prosecutor for the State. Perused the order impugned, challan papers and the statement of the prosecutrix recorded by the police under Section 161 Cr.P.C.

On perusal of the statement of the prosecutrix, there appears serious allegation of rape against the accused petitioner, therefore, it is not a fit case at this stage to release the accused petitioner on bail. The bail application moved by the accused petitioner under Section 439 Cr.P.C. is, therefore, dismissed. However, the petitioner is at liberty to move fresh bail application after statement of the prosecutrix is recorded. The trial court shall record the statement of the prosecutrix as a first witness.

(H.R.PANWAR), J.

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